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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 LEE MAX BARNETT,

12 Petitioner,

13 v.

14 RON BROOMFIELD,

15 Respondent.  
16

No. 2:99-CV-2416-JAM-DMC

DEATH PENALTY CASE

ORDER

17 Petitioner, a state prisoner proceeding with appointed counsel, brings this petition  
18 for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the Court is Petitioner's  
19 motion, ECF No. 397, for issuance of a stay-and-abeyance order pending further proceedings in  
20 state court. In his motion, Petitioner asks that the matter be decided on the papers without a  
21 hearing. Respondent has not objected to this request. Accordingly, and for good cause shown,  
22 the hearing set for January 26, 2022, at 10:00 a.m., before the undersigned in Redding, California,  
23 is hereby vacated and the matter is submitted without oral argument.

24 IT IS SO ORDERED.

25 Dated: January 19, 2022

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27 DENNIS M. COTA  
28 UNITED STATES MAGISTRATE JUDGE